

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

FEPA
 EEOC

130-2005-04288

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Richard Peterson

Home Phone No. (Incl Area Code)

(334) 703-0542

Date of Birth

Street Address

City, State and ZIP Code

6417 County Road #23

Union Springs, AL 36089

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

TOWN OF CLAYTON

No. Employees, Members

Phone No. (Include Area Code)

Over 15

(334) 775-9176

Street Address

City, State and ZIP Code

P. O. Box 385

Clayton, AL 36016

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

RACE COLOR SEX RELIGION NATIONAL ORIGIN
 RETALIATION AGE DISABILITY OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

05/09/2005

 CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

had been employed since 2001 as an Assistant Chief of Police. During December of 2004, shortly after the new Mayor took office, my employment was threatened and as well as my full time status. The employer accommodated White employees' with respect to schedule changes in order that they may work a second job contrary to the treatment I received. On May 9, 2005, my employment was terminated by the above referenced employer for my alleged failure to report to work on time and insubordination.

I believe I have been discriminated against because of my race, Black and in retaliation for having filed grievances, for my refusal to participate in illegal activities as well as my disclosure of activities unfair to Blacks. I believe this to be in violation of Title VII of the Civil Rights Act of 1964, as amended.

Amended charge - original charge filed July 1, 2005

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

9/6/05


 Date
 Charging Party Signature

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Richard Peterson
6417 County Road #23
Union Springs, AL 36089

From: Equal Employment Opportunity Commission
Ridge Park Place
1130 South 22nd Street
Birmingham, AL 35205

On behalf of person(s) aggrieved whose identity is

[] **CONFIDENTIAL (29 CFR § 1601.7(a))**

Charge No.	EEOC Representative	Telephone No.
130 2005 04288	Booker T. Lewis, Supervisor	(205) 212-2115

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- [] The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- [] Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- [] The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- [] We cannot investigate your charge because it was not filed within the time limit required by law.
- [] Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- [] While reasonable efforts were made to locate you, we were not able to do so.
- [] You had 30 days to accept a reasonable settlement offer that afford full relief for the harm you alleged.
- [X] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- [] The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- [] Other (briefly state) _____

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS from your receipt of this Notice**; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


Bernice Williams-Kimbrough, District Director

2 NOV 2005

Enclosure(s)

(Date Mailed)

cc: